

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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MICHAEL K. SPEIRS,

Plaintiff,

v.

MARATHON COUNTY, SANDRA DU JA-IVES,  
and DENNY WOODWARD,

Defendants.

ORDER

Case No. 16-cv-642-wmc

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On May 29, 2018, this court allowed *pro se* plaintiff Michael K. Speirs to proceed on a claim that defendants violated his Fourteenth Amendment rights during his incarceration at the Marathon County Jail. (Dkt. #10.) On January 29, 2019, defendants filed a motion to dismiss for lack of prosecution, or in the alternative, to compel discovery (dkt. #20), and on that same day, Magistrate Judge Crocker gave Speirs until February 19, 2019, to respond to defendants' interrogatories and return a signed medical records release to defendants' attorney. (Dkt. #24.) Judge Crocker also warned Speirs that his failure to respond to the interrogatories would subject this lawsuit to dismissal with prejudice for his failure to prosecute. (*Id.*) Since that time, Speirs has not filed anything with the court suggesting that he is making efforts to comply with the court's order or otherwise participate in this lawsuit, and defendants have represented that plaintiff still has failed to comply with the discovery requests (dkt. ##25, 26). Accordingly, the court is now granting defendants' motion and dismissing this case with prejudice for Speirs' failure to prosecute. *See James v. McDonald's Corp.*, 417 F.3d 672, 681 (7th Cir. 2005).

## ORDER

IT IS ORDERED that:

1. Defendants' motion to dismiss (dkt. #20) is GRANTED.
2. Plaintiff Michael Speirs' claims are DISMISSED WITH PREJUDICE for failure to prosecute. The clerk of court is directed to enter judgment in defendants' favor and close this case.

Entered this 17<sup>th</sup> day of April, 2019.

BY THE COURT:

/s/

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WILLIAM M. CONLEY

District Judge